



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Criminal Jurisdiction)

Date : 21/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8719 of 2019

Youngslin @ Yeskalin

... Petitioner/2nd Accused

Vs

State Rep.by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
Crime No.88 of 2019.

... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor.

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For bail petition in cr.no.88 of 2019 on the file of the respondent police.

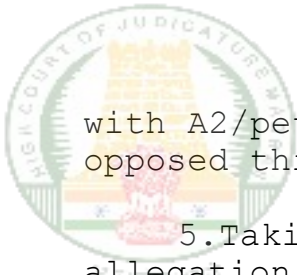
ORDER : The Court Made the following order :-

The petition has been filed by Accused Nos.2 seeking bail for the alleged offence punishable under Section 147, 366-A r/w 34 of IPC, in Crime No.88 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that as per the FIR, the victim girl was kidnapped by A1. He further submitted that the petitioner herein is A2, who is the mother of A1. He further submitted that the allegation made against the petitioner is that she helped the first accused to commit the offence and further, the petitioner is in custody from 16.05.2019 onwards. He further submitted that already A1 was arrested and remanded to judicial custody and A3 & A4 was released on bail and therefore, he prayed to grant of bail to the petitioner.

4.Per contra, the learned Additional Public Prosecutor appearing for the respondent has submitted that totally 4 accused were involved in this case. A1 was arrested and remanded to judicial custody. A3 & A4 was already released on bail. A1 along



with A2/petitioner herein kidnapped the minor victim girl. Hence, he opposed this petition.

5. Taking into consideration of the fact that the the main allegation is against only A1 and also he was arrested and remanded to judicial custody and also the fact that co-accused were already released on bail, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a]the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Valliyoor.

[b]the petitioner shall report before the respondent police daily at 10.00.a.m for a period of one month and thereafter, as and when required for the interrogation.

[c]the petitioner shall not abscond either during investigation or trial.

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

21/06/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, VALLIYOOR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN,
KOKKIRAKULAM.
4. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.D.VENKATESH Advocate SR.No.10185

ORDER IN

CRL OP(MD) No.8719 of 2019

Date :21/06/2019